

REGULAR CITY COUNCIL MEETING
MARCH 14, 1988

PRESENT

Ruth Hansen
Wesley J. Bloomfield
Gayle Bunker
David Church
Don Dafoe
Rex T. Harris

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery
Richard Waddingham
Doyle Bender
Virginia Taylor
Rita Byrd
Roger Young
Neil Forster
Jerry Reagan
Bryce Ashby
Dee Church
J. L. Shields
Clyde Bunker
Jan Johnson
Clark Johnson
Mike Bringhurst
Jeremy Bringhurst
Brandon Bringhurst
Zach Panhorst
Jeff Killian
Roger Land
Ricky Jeffery
Shaun Jeffery
Sarah Inez Moody
Don M. Ashcraft
Lynda Ashcraft
Rusty Morris
Kurtis Topham
Rick Morris
Casey Lovell
Phil Lovell
Lafe Moon
Cody Hamblin
Gary Judkins

City Recorder
City Attorney
City Treasurer
City Clerk
Billing Clerk
Chief of Police
Public Works Director
Building Official
Fire Chief
Classy Car Club
City Resident
Melville Irrigation
City Resident
City Resident
City Resident
City Resident
City Resident
City Resident
City Resident
City Resident
City Resident
Boy Scout
Boy Scout
Chronicle/Progress
City Resident
City Resident
Boy Scout
Boy Scout
Boy Scout
Citizen
Citizen
Boy Scout
Boy Scout
City Resident

Mayor Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held February 22, 1988, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections. Council Member David Church MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member David Church MOVED that the accounts payable be approved for payment as listed in the amount of \$68,092.23. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

LYNDA ASHCRAFT, CITY RESIDENT: FENCING OF CANAL

Mayor Hansen asked Lynda Ashcraft to address the Council regarding fencing of a canal within Delta City.

Lynda Ashcraft presented several signed petitions to the Council concerning the canal east of Pendray Subdivision which stated the following:

We, the undersigned, recognizing the inquisitive and wandering nature of little children, are particularly concerned for the safety of those living or visiting in this area of town. In our united desire to protect them in their innocence, from what we feel to be a hazard, do propose, with the private donations of our verbal support, time, labor or monies, that we be permitted by the Delta Canal Company and Delta City Officials to erect a barbed-top farm fence running greater than the length (North to South) of this subdivision - the erect position would be agreed upon

by all concerned parties. We also request that such a fence will be erected prior to the first water run in the Spring of 1988.

Mrs. Ashcraft presented a map of the northeast canal to each of the Council Members and explained that she and other citizens are petitioning Delta City and Melville Canal Company to allow the residents of Pendray Subdivision to erect a deterrent fence with a spring-close pedestrian gate parallel to the Canal Road. She then requested Council's approval to install a gate across the existing City sidewalk which leads across the foot-bridge.

Mrs. Ashcraft explained that funding for the fencing project would come from donations by residents and other interested groups. She asked if the City would be willing to grade the canal road prior to construction of a fence.

Mrs. Ashcraft asked the Council if Delta City would approve construction of a 60 foot fence across Delta City Property if Pendray Residents choose not to fence the entire 2700 feet of canal.

Mrs. Ashcraft then proposed the following recommendations to avoid future problems in other areas of the community regarding construction of deterrent fencing:

1. Contractors be required to fence the perimeter of their subdivision - particularly a deterrent fence along hazardous areas such as canals, drainage ditches, Railroad tracks and major roads and highways.
2.
 - a. Education continue to parents and citizens
 - b. Education continue, even in dry years, to Elementary age children
 - c. New and increased education to Middle School and High School students concerning:
 1. Personal responsibility in obeying the law regarding trespassing on private property
 - a. One warning recommended
 - b. Upon second violation, violators be required to do work project as assigned by the Canal Company
 2. Personal responsibility in example to little children
3. Due to the discrepancy among City officials, County records and Pendray Construction concerning ownership of the 60 foot wide strip of ground between 400 North and 200 North, parallel to the Canal Road, we recommend that ownership be determined for future maintenance, tax purposes, and possible easement.

Council Member Don Dafoe asked if anyone had investigated Robert Pendray's, Pendray Subdivision Developer, responsibility as to installing a fence around the subdivision.

Attorney Richard Waddingham stated that under the Subdivision Ordinance, there is an obligation on behalf of the developer to install fencing around a subdivision and asked if the requirements had been waived on the preliminary plat of the Pendray Subdivision.

Council Member Gayle Bunker suggested that the responsibility of Robert Pendray be determined and that the City cooperate in the fencing of the canal as much as possible.

GARY JUDKINS, CITY RESIDENT: DISPOSITION OF DELTA CITY'S
AGREEMENT WITH IPP REGARDING WHITE SAGE

Mayor Hansen asked Gary Judkins to address the Council regarding the White Sage Temporary Housing Complex.

Gary Judkins referred to an agreement between Intermountain Power Project (IPP) and Delta City regarding Temporary Development which states the following:

Such housing, as well as all improvements and fixtures located within six inches of ground surface shall be removed from such property within 18 months from the date of commercial operation of the final unit of the Intermountain Power Project.

Mr. Judkins said that he does not feel that removing the housing complex would be in the best interest of the community. He said that the complex would be a favorable attraction for new industry and that the housing complex would be good for the economic future, as well as provide an additional tax base for Delta City.

Mayor Hansen said that there are many vacant rental properties in Delta City at the present time. She also said that IPA is not prohibited from requesting an extension of time for removal of the housing complex.

City Recorder Dorothy Jeffery said that Millard County has requested that Delta City conduct a survey of vacant homes and apartments within Delta City, which should help determine the need for additional housing.

Mayor Hansen said that if there is a viable need for additional housing, the City would favor keeping the housing complex.

DEE CHURCH, CLASSY CHASSIS CAR CLUB: SCHEDULE DATE FOR CAR SHOW AND YARD SALE

Mayor Hansen asked Dee Church to present his request to hold a car show in the City parking lot.

Mr. Church requested Council's approval to hold a yard sale in the City Park Saturday, March 26, 1988, also to hold the Classy Chassis Car Club's Annual Car Show September 17, and 18, 1988, in the City Park.

Following brief discussion, Council Member David Church MOVED to approve a yard sale to be held March 26, 1988 in the City Park, also a car show to be held September 17 and 18, 1988 in the City Park. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

FIRE CHIEF BRYCE ASHBY: PURCHASE OF TANK TRUCK

Mayor Hansen asked Fire Chief Bryce Ashby to present a request to the Council.

Fire Chief Ashby requested Council's approval to purchase a tank truck to be used for water transport to fires where there are no hydrants available. He said that they have located a 1971 GMC 10-wheel cab and chasis and a used four thousand gallon aluminum tank that is available to purchase. Mr. Ashby said that the total cost of the tank truck is estimated at approximately \$15,000 with the fire department members providing the necessary labor.

Mr. Ashby said that the Delta Fire Department has money available for the tank truck from Operation and Maintenance money received from the Millard County Fire District that has been carried forward from 1986-1987.

Following discussion, Council Member Gayle Bunker MOVED to approve the purchase of a cab, chasis and tank for a tank truck to be used by the Delta Fire Department. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROGER YOUNG, CHIEF OF POLICE: 7-11 REQUEST TO CHANGE DELTA CITY ORDINANCES TO ALLOW EMPLOYMENT OF MINORS TO SELL BEER WITHOUT ADULT SUPERVISION

Mayor Hansen asked Chief of Police Roger Young to report on the status of a request from 7-11 to change Delta City Ordinances to allow employment of minors to sell beer without adult supervision.

Chief Young explained that 7-11 was to furnish him with information from various Utah communities that allow minors to sell beer without adult supervision. He said that 7-11 did not provide him with any information; he therefore recommended that 7-11's request be denied.

Council Member David Church MOVED to deny 7-11's request to change Delta City Ordinances to allow employment of minors to sell beer without adult supervision. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

DOROTHY JEFFERY, CITY RECORDER: LIABILITY, EMPLOYEE HEALTH AND LIFE INSURANCE

Mayor Ruth Hansen asked City Recorder Dorothy Jeffery to discuss with the Council Liability, Employee Health and Life Insurance for FY 1988-1989.

Dorothy Jeffery explained that she has talked with several City employees and they have expressed the desire to remain with Utah Local Government Insurance Trust if possible. Mrs. Jeffery said that the current insurance coverage is a benefit that the employees do not wish to lose nor pay a portion of. However, she said that the current premium for health and life insurance coverage is \$236 per family but is being increased to \$274 per family for 1988-1989.

It was suggested that all local insurance companies be contacted and given the opportunity to bid on Delta City's insurance for FY 1988-1989. Also, Mrs. Jeffery is to screen the bids as to equal coverages before they are presented to the Council for their consideration.

Mrs. Jeffery said that the Delta City Fire Department portion of the Fire District is covered by Utah Local Governments Trust but they will not cover the fire department next year. She said that there are 182 firemen in the Millard County Fire District, and she suggested that the District purchase insurance on a group rate basis. Mrs. Jeffery said that the first insurance agent she contacted to bid on Delta City's liability and health insurance asked for an Agent of Record letter. The Council agreed not to issue any insurance agent an Agent of Record letter.

She said that in order to be eligible for insurance through the Utah Local Governments Trust, membership to the Utah State Retirement Insurance Program is required; however volunteer firemen are not eligible for State Retirement.

Council Members concurred that interested insurance agencies are to contact Dorothy Jeffery to review current liability and health insurance policies and must submit their bids by April 20, 1988. The bids will then be reviewed by the Council at a regular City Council meeting scheduled for April 25, 1988.

A Budget Work Session was scheduled for April 27, 1988 at 4:00 p.m.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: HIRING SEASONAL MAINTENANCE WORKER

Mayor Hansen asked Public Works Director Neil Forster to present a request to hire a seasonal maintenance worker.

Public Works Director Neil Forster explained that the City now owns and maintains 20 acres of parks and requested Council's approval to hire a seasonal worker for approximately six months.

Council Member David Church recommended that Mr. Forster conduct individual interviews of applicants and then make a recommendation to the Council as to the hiring of a seasonal maintenance worker.

Council Member David Church MOVED to approve Public Works Director Neil Forster to advertise for a seasonal maintenance worker. The motion was SECONDED by Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: PROPOSAL FOR FEDERAL AVIATION AGENCY BUILDINGS

Mayor Hansen asked Public Works Director Neil Forster to discuss with the Council a proposal for Federal Aviation Agency buildings located at the Delta City Airport.

Mr. Forster presented a copy of a letter from the Federal Aviation Administration stating that the RCAG Site is transferred to the City of Delta in consideration of a waiver for site restoration. A copy of a Quit Claim Deed was also presented, which quitclaims to the City of Delta the following described improvements located on airport property:

- 1) RCAG building facility
- 2) Engine Generator building
- 3) One underground storage tank

- 4) Pumphouse shelter, with pump
- 5) Sidewalk and flag pole

Following discussion, Council Member Wesley Bloomfield MOVED to accept the buildings from the Federal Aviation Administration on real estate described in Article 1 of Lease No. DTFall-84-L-00031. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: HIRING OF CONSULTING ENGINEER

Mayor Hansen asked Public Works Director Neil Forster to discuss with the Council the hiring of a consulting engineer for Delta City.

Mr. Forster said that Delta City has been granted \$275,000 from the Federal Aviation Administration (FAA). This is a 90% grant from the FAA that requires 5% cooperation from Delta City and 5% cooperation from the State Aeronautics Department of Utah. He said that order for Delta City to use this grant, a consulting engineer needs to be hired.

Mr. Forster requested Council's approval for Mr. Forster to advertise for proposals from consulting engineers in order to proceed with the Airport Project.

Council Member Gayle Bunker MOVED to authorize Neil Forster to advertise for service from consulting engineers. The motion was SECONDED by Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: PROCEDURE TO REQUEST PLACEMENT ON AGENDA

Mayor Hansen asked Attorney Waddingham to present a proposal to the Council.

Attorney Waddingham presented a proposed form for requesting placement on the agenda by citizens.

Following discussion, Council Member Wesley Bloomfield MOVED to accept the Agenda Request Form on a trial basis. The motion was SECONDED By Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

OTHER BUSINESS

Council Member Wesley Bloomfield reminded the Council that the IPP Water Bank issue needs to be presented to the Planning and Zoning Commission and requested that it be placed on the agenda for the Planning and Zoning Commission meeting to be held March 16, 1988.

City Recorder Dorothy Jeffery said that Millard County has requested the use of the Council Chambers to hold a Public Hearing Monday, March 21, 1988, at 5:00 p.m. regarding zone changes for industrial development.

City Recorder Dorothy Jeffery also said that Millard County Administrator Robyn Pearson contacted her regarding the Revolving Loan Fund for businesses. Mr. Pearson said that he has had several businesses contact him requesting business loans. He suggested that a grant be made to the City and the City would then administer the loan. The Council felt that Millard County should issue and administer all loans from the Revolving Loan Fund.

City Recorder Dorothy Jeffery also read a Disclosure Statement received from Council Member Wesley Bloomfield.

Council Member Don Dafoe asked the Council Members to be thinking of a chairman, activities and fireworks for the 1988 4th of July Celebration.

Sarah Inez Moody, former co-owner and editor of the Millard County Chronicle, addressed the Council and explained that she is planning to attend City Council meetings and report minutes from those meetings to the Chronicle/Progress. She said that she would try to be fair and honest in making her reports and for the first few months of her assignment, would consult with the City Attorney's office to review the content of the minutes before using them in publication.

Council Member Don Dafoe said that Mrs. Moody's articles would be good information for the general public.

ATTORNEY RICHARD WADDINGHAM: CLOSED SESSION TO DISCUSS LITIGATION

Attorney Richard Waddingham requested that the Council go into closed session to discuss pending litigation. Council Member Don Dafoe MOVED that the Council meet in closed session at 9:00 p.m. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:


Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Rex Harris	Yes

Following the closed session, Council Member David Church MOVED to reconvene to regular City Council meeting at 9:15 p.m. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions or items to be discussed. There being none, she called for a vote. The motion passed unanimously.

Mayor Hansen asked if there were any further comments, questions or items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn. The motion was SECONDED by Council Member Rex Harris. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 9:20 p.m.



RUTH HANSEN, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 3-28-88